UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,123	08/21/2003	Richard D. Dettinger	ROC920030105US1	7110

46797   7590   01/18/2011
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ART UNIT	PAPER NUMBER
2164	

MAIL DATE	DELIVERY MODE
01/18/2011	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/645,123	DETTINGER ET AL.
	Examiner	Art Unit	
	MELLISSA M. CHOJNACKI	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *13 December 2010*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-7,18-21,30-32 and 34-43* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *1-7,18-21,30-32 and 34-43* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Remarks

1.   In response to communications filed on December 13, 2010, the Final Office

action sent on 10/13/2010 has been withdrawn. A new and updated search was

conducted which provided a new prior art and therefore a new ground(s) of rejection is

disclosed. Furthermore, no new claims have been cancelled; claims 1, 18, 30, and 34

have been amended, and new claims 36-43 have been added. Therefore, claims 1-6,

18-21, 30-32, and 34-43 are presently pending in the application.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-6, 18-21, 30-32, and 34-43 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Gupta et al. (U.S. Patent No. 6,956,593), in view of Scanlon et

al. (U.S. Patent no. 7,668,798).

As to claim 1, Gupta et al. teaches a method *(See column 2, lines 43-47;*

column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42),

comprising:

receiving a selection of a portion of a query having a plurality of portions

containing fields and query logic *(See column 2, lines 24-53; column 12, lines 39-59;*

column 15, lines 34-45; column 16, lines 19-42) [Paragraph 21 of the Specification for

this application states that the "query portion" can be defined as the entire query which

is what Gupta defines];

annotating the selected portion of the query by operation of one or more

computer processors and responsive to receiving, via interface *(See column 2, lines*

18-22, lines 24-53); (i) an annotation for the selected portion of the query *(see column*

2, lines 24-53) and (ii) a request to annotate the selected portion of the query *(See*

column 2, lines 24-53; column 12, lines 39-59; column 15, lines 34-45; column 16,

lines 19-42); and

storing, on a storage medium, the annotation with a reference to the selected

portion of the query *(See column 2, lines 43-47; column 12, lines 39-59; column 15,*

lines 34-45; column 16, lines 19-42).

Gupta et al. does not explicitly teach wherein the query comprises an abstract

query posed against a database abstraction model for a physical database.

Scanlon et al. teaches a system and method for accessing data in disparate

information sources *(See abstract),* in which he teaches wherein the query comprises

an abstract query posed against a database abstraction model for a physical database

(See column 3, lines 5-67, column 4, lines 1-2, wherein Scanlon discloses the

retrieval of data (querying) from a physical repository (physical database) using

queries against a metamodel (database abstraction model)).

Therefore, it would have been obvious to a person having ordinary skill in the art

at the time of the invention was made to have modified Gupta et al., to include wherein

the query comprises an abstract query posed against a database abstraction model for a physical database.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Gupta et al., by the teachings of Scanlon et al. because wherein the query comprises an abstract query posed against a database abstraction model for a physical database would provide a user with a response to the query request that is compatible with the information source and recognizable by the information source *(See Scanlon et al., column 1, lines 40-59).*

As to claim 2, Gupta et al. as modified, teaches wherein the selected portion of the query comprises one or more query conditions *(See Gupta et al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).*

As to claim 3, Gupta et al. as modified, teaches wherein the selected portion of the query comprises one or more instance values of data, where instance values are any particular value inputted in a field *(See Gupta et al., column 7, lines 28-67; column 8, lines 1-13; column 12, lines 39-67; column 13, lines 1-10).*

As to claim 4, Gupta et al. as modified, teaches providing an interface for building the query by specifying query portions *(See Gupta et al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42)*; and wherein receiving an indication of the selected portion of the query comprises receiving

a user selection of one or more query portions specified, via the interface, for use in a query *(See Gupta et al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42)*.

As to claims 5 and 19, Gupta et al. as modified, teaches providing an interface allowing the user to create a suggested substitution for the selected portion of the query, the suggested substitution being selectable to replace the selected portion of the query *(See Gupta et al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);* wherein the operations further comprise providing an interface allowing the user to create a suggested substitution for the selected portion of the query *(See Gupta et al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42)*.

As to claim 6, Gupta et al. as modified, teaches wherein storing the annotation with a reference to the one or more portion of the query comprises: decomposing the portion of the query into one or more fragments; and storing the fragments with the annotation *(See Gupta et al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42)*.

As to claims 7 and 20, Gupta et al. teaches wherein storing the annotation with a reference to the one or more portion of the query comprises: substituting a parameter marker for an instance value contained in the query component; and storing the portion

of the query with the parameter marker with the annotation *(See Gupta et al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);* wherein storing the annotation with a reference to the one or more portion of the query comprises: substituting a parameter marker for an instance value contained in the query component; and storing the portion of the query with the parameter marker with the annotation *(See Gupta et al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42*).

As to claim 18, Gupta et al. teaches a computer-readable storage medium containing a program which, when executed by a processor *(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42*), performs operations comprising:

receiving a selection of a portion of a query having a plurality of portions *(See column 2, lines 24-53; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);*

annotating the selected portion of the query responsive to receiving, via interface *(See column 2, lines 18-22, lines 24-53)*; (i) an annotation for the selected portion of the query *(see column 2, lines 24-53)* and (ii) a request to annotate with the selected portion of the query *(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);* and

storing, on a storage device, the annotation with a reference to the selected portion of the query *(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).*

Gupta et al. does not explicitly teach wherein the query comprises an abstract query posed against a database abstraction model for a physical database.

Scanlon et al. teaches a system and method for accessing data in disparate information sources *(See abstract),* in which he teaches wherein the query comprises an abstract query posed against a database abstraction model for a physical database *(See column 3, lines 5-67, column 4, lines 1-2, wherein Scanlon discloses the retrieval of data (querying) from a physical repository (physical database) using queries against a metamodel (database abstraction model)).*

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to have modified Gupta et al., to include wherein the query comprises an abstract query posed against a database abstraction model for a physical database.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Gupta et al., by the teachings of Scanlon et al. because wherein the query comprises an abstract query posed against a database abstraction model for a physical database would provide a user with a response to the query request that is compatible with the information source and recognizable by the information source *(See Scanlon et al., column 1, lines 40-59).*

As to claim 21, <u>Gupta et al.</u> as modified, teaches wherein the operations further comprise: monitoring one or more query portions specified for use in a query *(See* *<u>Gupta et al.</u>, column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);*

searching for annotations associated with the one or more query portions *(See* *<u>Gupta et al.</u>, column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);* and

providing an indication of one or more annotations, if found, associated with the one or more query portions *(See <u>Gupta et al.</u>, column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42).*

As to claim 30, <u>Gupta et al.</u> a computer implemented method *(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42),* comprising:

receiving a selection of the a portion of a query having a plurality of portions *(column 2, lines 24-53; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);*

providing an interface allowing a user to create an annotation and request to annotate the selected portion of the query with the annotation *(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column 16, lines 19-42);*

by operation of one or more computer processors and in response to receiving the annotation and the request, annotating the selected portion of the query with the

annotation by storing, on a storage medium, the annotation with a reference to the

selected portion of the query *(See column 2, lines 43-47; column 12, lines 39-59;*

column 15, lines 34-45; column 16, lines 19-42);

monitoring one or more query portions specified for use in a query being

composed in a query building interface *(See column 2, lines 43-47; column 12, lines*

39-59; column 15, lines 34-45; column 16, lines 19-42);

searching for stored annotations associated with the one or more portion of the

query *(See column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45;*

column 16, lines 19-42); and

outputting an indication of one or more annotations, if found, associated with the

one or more portion of the query *(See column 2, lines 43-47; column 12, lines 39-59;*

column 15, lines 34-45; column 16, lines 19-42).

Gupta et al. does not explicitly teach wherein the query comprises an abstract

query posed against a database abstraction model for a physical database.

Scanlon et al. teaches a system and method for accessing data in disparate

information sources *(See abstract),* in which he teaches wherein the query comprises

an abstract query posed against a database abstraction model for a physical database

(See column 3, lines 5-67, column 4, lines 1-2, wherein Scanlon discloses the

retrieval of data (querying) from a physical repository (physical database) using

queries against a metamodel (database abstraction model)).

Therefore, it would have been obvious to a person having ordinary skill in the art

at the time of the invention was made to have modified Gupta et al., to include wherein

the query comprises an abstract query posed against a database abstraction model for

a physical database.

It would have been obvious to a person having ordinary skill in the art at the time

the invention was made to have modified Gupta et al., by the teachings of Scanlon et al.

because wherein the query comprises an abstract query posed against a database

abstraction model for a physical database would provide a user with a response to the

query request that is compatible with the information source and recognizable by the

information source *(See Scanlon et al., column 1, lines 40-59)*.

As to claims 31, 36, and 40, Gupta et al. as modified, teaches wherein the query

comprises a database query *(See Gupta et al., column 3, lines 37-49; column 7,*

lines 5-26, wherein the media that is being query are stored on a database).

As to claims 32, 37, and 41, Gupta et al. as modified, teaches wherein the

selected portion of the query comprises at least one of a query condition *(See Gupta et*

al., column 2, lines 43-47; column 12, lines 39-59; column 15, lines 34-45; column

16, lines 19-42), an instance value in the query condition, a specified result field, and a

specified formatting of the result field.

As to claims 34, 38, and 41, Gupta et al. as modified, teaches wherein the

database abstraction model defines a plurality of logical fields that each define: (i) a

logical field name, (ii) an access method, and (iii) a location in the physical database for

accessing respective data elements in the physical database *(See **Scanlon et al.**,*

column 7 lines 15-67; column 8, lines 1-41).

As to claims 35, 39, and 42, Gupta et al. as modified, teaches wherein the

access method is selected from at least two different access method types, wherein

each different access method type defines a different manner of exposing specified data

retrieved from a physical data field *(See **Scanlon et al.**, column 2, lines 27-57;*

column 7 lines 15-67; column 8, lines 1-41).

Response to Arguments

4.   Applicant's arguments filed on December 13, 2010, with respect to the rejected

claims in view of the cited references have been considered but are moot in view of a

new search that was conducted which provided a new ground(s) of rejection.

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MELLISSA M. CHOJNACKI whose telephone number is

(571)272-4076. The examiner can normally be reached on 9:00am-5:30pm.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Rones can be reached on (571) 272-4085. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

1/3/2010
Mmc

/Sathyanarayan Pannala/
Primary Examiner, Art Unit 2164